

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LEANA GILBERT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:16CV01316 AGF
)	
NATIONSTAR MORTGAGE LLC, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant Nationstar Mortgage, LLC's ("Nationstar") motion to compel Plaintiff, who is proceeding pro se, to respond to Nationstar's First Set of Interrogatories and First Requests for Production of Documents. Plaintiff's responses were due at the latest on April 3, 2017. Nationstar's motion to compel was filed on April 20, 2017. The deadline for Plaintiff to file a response to the motion was seven days later, or April 27, 2017. To date, Plaintiff has not filed a response to the motion to compel.

As Nationstar notes, Plaintiff's pro se status does not excuse her from complying with the Federal Rules of Civil Procedure, including discovery requests. *See Lindstedt v. City of Granby*, 238 F.3d 933, 937 (8th Cir. 2000). The Court will grant Nationstar's motion and order Plaintiff to respond, within 14 days of this Memorandum and Order, to Nationstar's First Set of Interrogatories and First Requests for Production of Documents.

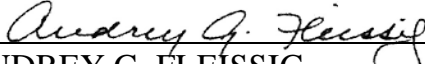
At this time, the Court will not grant Nationstar's request to order Plaintiff to reimburse Nationstar for its attorney's fees incurred in bringing the motion to compel. But the Court cautions Plaintiff that the failure to respond to the discovery requests at issue could result in the imposition of sanctions, including dismissal of this action with prejudice. *See Weber v. Int'l Bhd. of Elec. Workers*, No. 16-3252 (8th Cir. May 3, 2017) (affirming the dismissal with prejudice of an employment action as a sanction for failure to comply with a court order to provide discovery responses) (citing Federal Rule of Civil Procedure 37(d), which states that the court may, on motion, order sanctions if "a party, after being properly served with interrogatories . . . , fails to serve its answers, objections, or written response"; and that sanctions may include an order dismissing the action; and Rule 41(b), which states that a defendant may move to dismiss if the plaintiff fails to comply with court rules or a court order).

Accordingly,

IT IS HEREBY ORDERED that Defendant Nationstar Mortgage LLC's motion to compel Plaintiff to respond to its First Set of Interrogatories and First Requests for Production of Documents is **GRANTED**. (ECF No. 25.)

IT IS FURTHER ORDERED that Plaintiff shall, on or before **May 17, 2017**, respond to Defendant Nationstar Mortgage LLC's First Set of Interrogatories and First Requests for Production of Documents. Failure to comply with this Order may result in

the imposition of sanctions, including dismissal of the action with prejudice.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of May, 2017.